

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Conference Room B
100 Maple Avenue
Monday, November 6, 2006 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, John Lebeaux, James McCaffrey, and Daniel Morgado, Town Manager. Mr. Lebeaux called the meeting to order at 7:02pm.

Preliminaries:

1. Approve bills, payrolls and warrants, #0735 in the amount of \$308,173.69, and #0738 in the amount of \$564,503.63. Motion made, seconded and unanimously approved.
2. Approve minutes of October 5, 2006 and October 16, 2006. Motion made, seconded and unanimously approved.
3. Announcements – Mr. Card updated the Board on the progress of the new fire stations. Fontaine Brothers of Springfield, MA has been selected as the general contractor and site work has begun on the sites in Town center and on Centech Blvd. Mr. Card reminded everyone that tomorrow is Election Day and urged everyone to get out and vote. Mr. Lebeaux congratulated the Shrewsbury High School Boys & Girls Crew Teams on winning the 2006 State Championships. Mr. Lebeaux announced that there will be a public hearing on November 20th at 7:15pm in this room to accept public comment on the issue of allocating the local property tax levy among the four classes of real property and personal property for Fiscal Year 2007 pursuant to MGL Chapter 40, Sec. 56. Upon conclusion of this public hearing, the Board of Selectmen will determine the percentages of the local tax levy to be borne by each class of real property, as defined in General Laws Chapter 59, Section 2A and personal property of FY 2007. At this hearing, the Board of Assessors will be present to provide all information and data relevant to the Board of Selectmen making such determination and the fiscal effect of the available options. Interested taxpayers, citizens and/or residents are encouraged to attend this public hearing to offer any written or oral comments. Information related to this matter can be viewed and copies attained pursuant to application statutes and regulations in the Office of the Board of Selectmen during normal business hours. This is the annual meeting with the Board of Assessors to set the residential and commercial tax rates. Mr. Lebeaux announced that the Shrewsbury Water Conservation Project is sponsoring a Water Wise Workshop on December 8th at 7:00pm in this room. Master plumber Bill Felice, an instructor at Assabet Valley Regional Technical High School, and several students in the plumbing program will conduct a hands-on workshop featuring do-it-yourself conservation methods. Pre-registration is required and can be done through the web site. Mr. Lebeaux advised that SELCO is offering a 50% rebate, up to \$30, on the cost of a set-back thermostat. This is available to SELCO customers only and runs from November 1, 2006 to January 31, 2007. One rebate per SELCO account. Forms are available on the web site and can be mailed or dropped off at the SELCO office. Mr. Lebeaux advised that the Board of Selectmen and School Committee will be holding a “meet and greet” with all those expressing interest in filling the vacancy on the School Committee on Wednesday, November 8th in the Selectmen’s Meeting Room at 7:00pm. Those who have sent in letters of interest will be asked to give a brief statement.
4. Town Manager’s Report – Nothing other than what is on the Agenda.

Meetings:

Public Hearings:

5. 7:05pm – BUCA Restaurants 3, Inc. d/b/a Vinny T’s of Boston, 7 Boston Turnpike, Change of Officers/Directors, Change Stockholders & Transfer the Indirect Beneficial Interest in the company for their All Alcoholic Beverages Pouring License. No other changes. Kevin Considine, attorney representing BUCA Restaurants 3, was present and explained to the Board that Bertucci’s Restaurants had purchased the stock of eleven of BUCA 3’s restaurants, eight of which are in Massachusetts. He advised the Board that no changes

were planned to the restaurant or staff of the Shrewsbury facility and that it will continue to operate as Vinny T's of Boston for the present time. Mr. Lebeaux advised that reports from department heads were favorable. He advised Mr. Considine that there is a special variance for the serving of alcoholic beverages on the deck of the restaurant and that this variance will expire in January, 2007. The Building Inspector wanted to make sure that management was aware of this and that application must be made to renew the variance. Seeing no questions from the Board, Mr. Lebeaux opened the hearing to the public. As there was no public comment, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application as stated by BUCA Restaurants 3, Inc. d/b/a Vinny T's of Boston, 7 Boston Turnpike, for their All Alcoholic Beverages Pouring License. Motion was seconded and unanimously voted.

Old Business:

6. License Fees. Mr. Lebeaux advised that the Financial & Municipal Operations Subcommittee of the Board, made up of Mr. McCaffrey and himself, had reviewed the current fee structure and made several recommendations. Mr. McCaffrey reviewed the proposed changes. He advised that the subcommittee recommended a 20% increase in all Alcohol, Class I, II & III, and Commercial Garage Licenses. Common Victualler Licenses would remain the same as an increase requires a change in by-law. Mr. Fiore advised that he held two licenses under consideration for increases but felt he could enter into the discussion but abstain from the vote on those licenses to avoid the appearance of conflict of interest. Board members concurred with the proposed increases. Mr. Lebeaux suggested that the Board consider a policy of making a review of license fees something that is done on a routine basis, i.e., every two years. Other Board members suggested an annual review. Mr. Lebeaux asked the Board to submit ideas for things that could be added to a policy for review every year or every two years. Motion was made to approve the proposed fee increases for all Alcohol Licenses. Motion was seconded and unanimously voted. Motion was made to approve the proposed increases for Class I, II, & II and Commercial Garage Licenses. Motion as seconded and voted four in favor and one abstention.
7. Edgemere Diner. Mr. Lebeaux reviewed the history of the diner. The Town has leased the diner in the past which did not work out well. In light of that, the Board took a home rule petition to Town Meeting which was approved and forwarded to the state and subsequently approved. A decision on the disposition of the property is now before the Board. He advised that Mr. Morgado had made some recommendations regarding this property. Mr. Morgado reviewed the recommendations, Part A – sale of the Edgemere Diner and all appurtenances and Part B – bid a lease of land at 51 Hartford Turnpike. The Board discussed Mr. Morgado's recommendations and other options available on the disposition of the property. After a discussion, some Board members requested that a decision be tabled until November 20th to give them more time to explore the options. The decision regarding the Edgemere Diner will be held over until November 20th.

New Business:

8. Early closing Town Hall Friday, December 22, 2006 at 12:00 noon. Motion was made, seconded and unanimously voted to approve the closing of Town Hall at noon on Friday, December 22nd.
9. Reappoint Donald Gray, 26 High Street, and Nicholas DiPilato, 20 Karen Avenue, to the Scholarship Committee for terms of three years expiring on October 31, 2009. Motion was made, seconded and unanimously voted to reappoint Donald Gray and Nicholas DiPilato to the Scholarship Committee for three year terms expiring October 31, 2009.
10. Request from Kay Reynolds, 107 Cherry Street, to use Town Common and Bandstand for 6th Annual Caroling on the Common Event on Saturday, December 23, 2006 at 7:00pm. The Congregational Church has given their approval. After a discussion, the Board determined that it was not within their authority to approve or disapprove the request as the Town Common is a public area and persons are free to assemble as they deem appropriate.
11. Alcoholic Beverage Control Commission 2007 Liquor License Renewals – Due by 11/30/06. New licenses will not be issued unless paid in full with the renewal application back by 12/15/06. Motion was made, seconded and unanimously voted to approve.
- 11a Sign CDAG Grant for Centech East. This grant related to the extension of water and sewer services from

Grafton to Centech East. Motion was made to authorize Chairman Lebeaux to sign the CDAG Grant before the Board. Motion was seconded and unanimously voted.

Executive Session:

12. Value of real property. Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:48pm and not to reconvene for the purpose of discussion of value of real property. The Board was polled, Mr. Fiore, yes, Mr. DePalo, yes, Mr. McCaffrey, yes, Mr. Card, yes, and Mr. Lebeaux, yes.

Communications:

13. Noted copy mailed: Mass. Dept. of Revenue, Notification of Certification.
14. Noted copy mailed: ZBA Hearing Minutes, 9/21/06, Omar Reza, 24 Melody Lane.
15. Noted copy mailed; ZBA Hearing Minutes, 9/21/06, Perry & Dorothy Lopriore, 62 Shady Lane.
16. Noted copy mailed: ZBA Hearing Minutes, 9/21/06, J.E.P. Contracting, 90 Lakeside Drive.
17. Noted copy mailed: ZBA Hearing Minutes, 9/21/06, Nardella Realty Co., LLC, 6 Gordon Road.
18. Noted copy mailed; Letter from Mr. Morgado to Dept. of Housing & Community Development re Draft 2006 Subsidized Housing Inventory.
19. Noted copy mailed: Veolia Water, Monthly Compliance Report, August 2006.
20. Noted copy mailed: MBTA Advisory Board Notice of Next Board Meeting and related materials.
21. Noted copy mailed: SELCO Meeting Minutes, 9/11/06.
22. Noted copy mailed: E-mail from Fire Chief Gerald LaFlamme re Inspection Fees. Board has no issues with the increase in fees proposed by Chief LaFlamme.
23. Noted copy mailed: Westborough Treatment Plant Board Minutes, 9/13/06.
24. Noted copy mailed: School Committee Meeting Agenda, 10/25/06.
25. Noted copy mailed: Letter from Capitol Disposal, LLC re container rental.
26. Noted copy mailed: Notice from Citizens' Housing & Planning Assoc. re Chapter 40B Trends & Innovations.
27. Noted copy mailed: Municipal Benchmarking Newsletter – October, 2006.
28. Noted copy mailed: E-mail from Jim Kane, 32 Main Circle, re School Committee Vacancy.
29. Noted copy mailed: Letter from Erin Canzano, 6 Holman Heights Circle, expressing interest in School Committee position.
30. Noted copy mailed: E-mail from Christine Juetten, 41 Stonybrook Lane, re CBS.
31. Noted copy mailed: Letter from Patricia De La Cruz, 35 Sheridan Drive, Apt. #11, expressing interest in appointment to the Cultural Council. Motion was made, seconded and unanimously voted to appoint Patricia De La Cruz to the Cultural Council for a term of three years expiring February 10, 2009.
32. Noted copy mailed: E-mail from Monica Maher, 52 Main Circle, re Trash fee. Mr. Morgado responded.
33. Noted copy mailed; Letter from Deborah W. Hemdal, 56 Stoney Hill Road, expressing interest in School Committee position.
34. Noted copy mailed: S.T.A.R. FY07 Annual Dues Notice. Motion was made, seconded and unanimously voted to approve payment of annual dues for S.T.A. R.
35. Noted copy mailed: Planning Board Agenda, 11/2/06.
36. Noted copy mailed: Letter from Michael F. Sheehan, 8 Bittersweet Circle, expressing interest in School Committee position.
37. Noted copy mailed: School Committee Meeting Agenda, 11/1/06.
38. Noted copy mailed: E-mail from George Smith, 33 Clews Street, expressing interest in School Committee position.
39. Noted copy mailed: Memo from Nancy Allen, Director of Public Health, re Leaves, Grass & Yard Waste and MDEP Dept. Approved Recycling Programs (DARP). Mr. Morgado advised that it will cost \$21,000 in order to comply with this state mandate. The Town currently runs a combination program. However, hybrid programs such as Shrewsbury's are not recognized by the state. Cost to comply will be included in the budget and will be added to the Legislative Workshop Agenda for discussion.
40. Noted copy mailed: E-mail from Laura Joslyn, 30 Old Brook Road, expressing interest in School Committee position.

41. Noted copy mailed: Letter from John R. Samia, 8 Fox Hill Road, expressing interest in School Committee position.
42. Noted copy mailed: Letter from Bretta M. Karp, 2 Medieval Road, expressing interest in School Committee position.
43. Noted copy mailed: City & Town, Vol. 19, No. 8, October 2006.
44. Noted copy mailed: Letter from Thomas A. Turco, Jr., 73 Maury Lane, re MGL c. 32B, s. 18. Mr. Morgado will respond.
45. Noted copy mailed: Letter from UMassMemorial President & CEO John O'Brien re Mass. Nurses Assoc.
46. Noted copy mailed: Letter from Mass. School Bldg. Authority re Project #W20014244: The Beal School. Beal School project has been closed out but Spring Street School and Paton School projects were eliminated.
47. Noted copy mailed: 2006 DEP Water Conservation Grant Report. Jackie Pratt, Coordinator of the Rain Barrel Program, submitted this grant report on this very successful program. Shrewsbury far exceeded DEP expectations in all areas. The Board congratulated Jackie on her hard work. Mr. Card reminded those who purchased the rain barrels that they should be drained as they could freeze and split.
48. Noted copy mailed: Draft Environmental Impact Report, Proposed Mixed-Use Development Rte. 20. (complete report on file in BOS office)
49. Noted copy mailed: Notice of Project Change withdrawal for Adams Farm II Senior Housing Site Plan, Cherry St. & Boston-Worcester Tpke. (complete report on file in BOS office)
50. Noted copy mailed: Letter from Mr. Morgado to Gregory & Rose Lano, 664 South Street, re solid waste collection & disposal services.
51. Noted copy mailed: School Committee Meeting Minutes, 10/4/06.
52. Noted copy mailed: E-mail from Michael Sheehan, 8 Bittersweet Circle, withdrawing his name from consideration to fill the School Committee Vacancy.
53. Noted copy mailed: E-mail from Nick Coda, 4 Deergrass Road, re Suggestion for Town Website. The Board discussed ways of accomplishing Mr. Coda's suggestion. Mr. Lebeaux will respond.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:48pm not to reconvene for the purpose of discussing value of real property. On a roll call vote Mr. Fiore, yes, Mr. DePalo, yes, Mr. McCaffrey, Mr. Card, yes, yes, and Mr. Lebeaux, yes.

Respectfully submitted,

Janice C. McCoy
Secretary